

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: RILEY NEWTON
DEPUTY ATTORNEY GENERAL

DATE: OCTOBER 25, 2021

SUBJECT: IN THE MATTER OF IDAHO POWER COMPANY’S APPLICATION FOR APPROVAL OR REJECTION OF AN ENERGY SALES AGREEMENT WITH IDAHO POWER COMPANY AND J.R. SIMPLOT COMPANY FOR THE SALE AND PURCHASE OF ELECTRIC ENERGY FROM THE SIMPLOT – POCATELLO CSPP PROJECT; CASE NO. IPC-E-21-33.

On October 6, 2021, Idaho Power Company (“Company”) applied to the Commission for approval of an energy sales agreement (“ESA”) with J.R. Simplot Company (“Seller”) for the energy generated by the Simplot – Pocatello CSPP project (“Facility”). The Company states that, “[p]rior to the Effective Date of [the proposed] ESA th[e] Facility has been delivering energy to [the Company] in accordance with an ESA dated December 21, 2018.” Application at 4. The expiration date of the 2018 ESA is February 28, 2022. The Company further states that the proposed ESA has a “3-year term using the non-levelized, Other published avoided cost rates as currently established by the Commission in Order No. 35052 for replacement contracts and for energy deliveries of less than 10 average megawatts.” *Id.* at 3-4. The Company requests the Commission reject or approve the ESA and, if accepted, declare all payments for purchases of energy under the ESA be allowed as prudently incurred expenses for ratemaking purposes. The Company requests that the Commission set a procedural schedule that would result in a final Commission determination prior to February 28, 2022.

STAFF RECOMMENDATION

Staff recommends the Commission issue a Notice of Application and Notice of Modified Procedure establishing a twenty-one (21) day public comment period and a seven (7) day Company reply.

COMMISSION DECISION

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure establishing a twenty-one (21) day public comment period and a seven (7) day Company reply?



Riley Newton
Deputy Attorney General

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